

**Federal Defenders  
OF NEW YORK, INC.**

Southern District  
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May 25, 2022

**VIA ECF**

Honorable Katherine Polk Failla  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

**Re: *United States v. Michael Barreto, 19 Cr. 909 (KPF)***

Dear Judge Failla:

We write without objection from the Government to respectfully request a 60-day extension of the currently scheduled deadlines in the above-captioned matter. The parties have been actively negotiating in an effort to resolve this case for many months, but Mr. Barreto has yet to receive a formal, written plea offer from the Government. The Government expects that it will be able to provide one very soon.

We consent to the exclusion of time under the Speedy Trial Act from July 28, 2022 through the next scheduled court date. Excluding time will serve the ends of justice and outweigh the best interests of the public and the defendant in a speedy trial, because it will allow the parties to continue working towards a pretrial resolution of the matter.

Respectfully submitted,

/s/  
Ariel Werner  
Neil P. Kelly  
Assistant Federal Defenders

cc: AUSA Kedar Bhatia  
AUSA Brandon Harper

Application GRANTED. The Court hereby GRANTS the parties' request for a 60-day adjournment of the pretrial motions schedule. The parties shall adhere to the following briefing schedule: Defendant's opening brief is due **August 5, 2022**; the Government's opposition is due **August 26, 2022**; and Defendant's reply is due **September 5, 2022**. Further, the motion hearing scheduled for July 28, 2022 is hereby ADJOURNED to **October 4, 2022, at 3:30 p.m.** Moreover, it is ORDERED that time be excluded under the Speedy Trial Act between May 25, 2022, and September 5, 2022. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and Defendant in a speedy trial because it will permit the parties to engage in discussions regarding a potential pretrial disposition. Finally, the Clerk of Court is directed to terminate the pending motion at docket number 49.

Dated: May 25, 2022  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE